

# Exhibit B

**AIPLA**

**2019**

Report of the Economic Survey

Prepared Under Direction of  
Law Practice Management Committee

**American Intellectual Property Law Association**  
1400 Crystal Drive, Suite 600  
Arlington, VA 22202

[www.aipla.org](http://www.aipla.org)



American Intellectual Property Law Association

# **Report of the Economic Survey 2019**

**Prepared Under Direction of the  
American Intellectual Property Law Association  
Law Practice Management Committee**

**Frank L. Gerratana, Chair**

**September 2019**

**Prepared by:**



**910 Clopper Road, Suite 210N ■ Gaithersburg, Maryland 20878  
TEL: (240) 268-1262 ■ [ARI@associationresearch.com](mailto:ARI@associationresearch.com)**

## **AIPLA Law Practice Management 2019 Economic Survey Participants**

**We would like to thank those who helped put together and review  
this year's AIPLA Economic Survey:**

**Frank Gerratana:** Fish & Richardson, PC – Chair of LPM Committee

**Arlene Neal:** Neal Bilbo, LLC – Vice Chair of LPM Committee

**Stephanie Sanders:** Kilpatrick Townsend & Stockton, LLP – Co-Chair of the Economic Survey Subcommittee

**Ariana Fleishman:** PiVerse, Inc. – Co-Chair of the Economic Survey Subcommittee

**DeAnn Smith:** Foley Hoag – Board Liaison

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### **Economic Survey Subcommittee Members:**

**Ashraf Abdul-Mohsen:** ARI

**John Gorecki:** Anderson Gorecki, LLP

**Iasha Chaudhry:** Smart & Biggar

**Megan Kirkegaard:** ARI

**Ryan Dean:** Umberg Zipser, LLP

**Joshua Kresh:** DLA Piper LLP, US

**Meghan Donohoe:** AIPLA

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**AMERICAN INTELLECTUAL PROPERTY LAW ASSOCIATION**

**1400 CRYSTAL DRIVE, SUITE 600**

**ARLINGTON VA 22202**

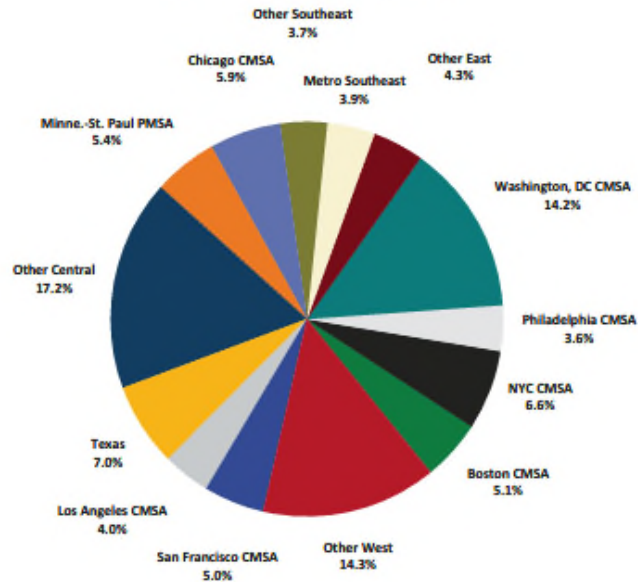
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LOCATION		
METROPOLITAN AREAS	PERCENT	COUNT
Boston CMSA*	5.1%	49
New York City CMSA*	6.6%	63
Philadelphia CMSA*	3.6%	35
Washington, DC CMSA*	14.2%	136
Other East: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and West Virginia	4.3%	41
Metro Southeast: Raleigh–Durham, Greensboro–Winston-Salem, and Charlotte, NC; Atlanta, GA; and Miami–Ft. Lauderdale–West Palm Beach, FL	3.9%	37
Other Southeast: North Carolina, South Carolina, Georgia, and Florida	3.7%	36
Chicago CMSA*	5.9%	57
Minneapolis–St. Paul PMSA**	5.4%	52
Other Central: Minnesota, North Dakota, South Dakota, Wisconsin, Michigan, Ohio, Indiana, Illinois, Iowa, Nebraska, Kansas, Missouri, Kentucky, Oklahoma, Arkansas, Louisiana, Mississippi, Alabama, and Tennessee	17.2%	165
Texas	7.0%	67
Los Angeles CMSA*	4.0%	38
San Francisco CMSA*	5.0%	48
Other West: Montana, Wyoming, Colorado, New Mexico, Idaho, Utah, Nevada, Arizona, Washington, Oregon, California, Alaska, and Hawaii	14.3%	137

\*CMSA: Consolidated Metropolitan Statistical Area— a metro area with a population of one million or more.  
\*\*PMSA: Primary Metropolitan Statistical Area— a component of a CMSA.

### Location (P. I-2, Q1)





## Private Firm, Equity Partner

### Average hourly billing rate in 2018 (Q37)

Private Firm, Equity Partner

		Number of Individuals	Mean (Average)	10th Percentile 10%	First Quartile 25%	Median (Midpoint)	Third Quartile 75%	90th Percentile 90%
All Individuals		302	\$521	\$330	\$375	\$475	\$650	\$796
Years of IP Law Attorney Experience	7-9	9	\$356	ISD	\$325	\$370	\$390	ISD
	10-14	40	\$438	\$280	\$346	\$398	\$500	\$668
	15-24	119	\$505	\$325	\$375	\$448	\$650	\$750
	25-34	86	\$552	\$344	\$429	\$500	\$665	\$833
	35 or More	45	\$613	\$390	\$475	\$595	\$713	\$916
Location	Boston CMSA	13	\$747	\$369	\$450	\$800	\$1,015	\$1,080
	NYC CMSA	22	\$559	\$365	\$408	\$475	\$699	\$964
	Philadelphia CMSA	10	\$599	\$433	\$486	\$560	\$729	\$823
	Washington, DC CMSA	43	\$590	\$354	\$430	\$570	\$700	\$850
	Other East	10	\$462	\$314	\$365	\$461	\$513	\$691
	Metro Southeast	12	\$418	\$292	\$343	\$375	\$421	\$746
	Other Southeast	8	\$414	ISD	\$354	\$375	\$463	ISD
	Chicago CMSA	20	\$537	\$351	\$435	\$533	\$644	\$734
	Minne.-St. Paul PMSA	15	\$443	\$290	\$330	\$420	\$545	\$626
	Other Central	62	\$421	\$283	\$342	\$390	\$500	\$646
	Texas	19	\$534	\$400	\$406	\$460	\$650	\$800
	Los Angeles CMSA	13	\$586	\$336	\$440	\$575	\$675	\$978
	San Francisco CMSA	14	\$665	\$385	\$464	\$650	\$826	\$1,023
	Other West	41	\$496	\$300	\$343	\$450	\$623	\$769
IP Technical Specialization (>=50%)	Biotechnology	13	\$610	\$304	\$418	\$600	\$818	\$990
	Chemical	16	\$462	\$265	\$374	\$465	\$593	\$636
	Computer Hardware	5	\$521	ISD	\$313	\$395	\$793	ISD
	Computer Software	24	\$493	\$313	\$380	\$483	\$596	\$745
	Electrical	27	\$586	\$350	\$400	\$520	\$670	\$1,010
	Mechanical	63	\$480	\$337	\$360	\$450	\$570	\$700
	Medical/ Health Care	18	\$537	\$300	\$396	\$497	\$650	\$743
	Pharmaceutical	10	\$626	\$405	\$465	\$600	\$761	\$956
Age	Other areas	3	\$450	ISD	ISD	\$450	ISD	ISD
	35-39	14	\$451	\$245	\$313	\$365	\$655	\$708
	40-44	36	\$446	\$325	\$371	\$400	\$556	\$665
	45-49	46	\$502	\$329	\$368	\$439	\$600	\$822
	50-54	64	\$510	\$350	\$400	\$459	\$636	\$750
	55-59	65	\$550	\$300	\$365	\$500	\$675	\$958
	60 or Older	74	\$568	\$350	\$445	\$530	\$653	\$838
Gender	Male	257	\$525	\$334	\$375	\$482	\$650	\$785
	Female	42	\$486	\$277	\$350	\$425	\$631	\$814
Highest Non-Law Degree	Bachelor's Degree	212	\$516	\$330	\$375	\$471	\$650	\$785
	Master's Degree	62	\$542	\$333	\$400	\$500	\$650	\$814
	Doctorate Degree	24	\$520	\$310	\$379	\$464	\$669	\$880
Ethnicity	White/Caucasian	262	\$520	\$330	\$375	\$481	\$650	\$796
	Hispanic/Latino	4	\$624	ISD	\$445	\$638	\$789	ISD
	Asian/Pacific Islander	11	\$547	\$315	\$400	\$500	\$675	\$910
	Blended	5	\$510	ISD	\$325	\$450	\$725	ISD
	Other	8	\$535	ISD	\$338	\$450	\$733	ISD
Full-time Intellectual Property lawyers and agents in the firm or corporation	1-2	24	\$385	\$275	\$303	\$350	\$450	\$585
	3-5	43	\$408	\$257	\$350	\$400	\$460	\$595
	6-10	32	\$473	\$340	\$364	\$448	\$529	\$650
	11-25	56	\$460	\$340	\$376	\$428	\$519	\$633
	26-50	46	\$522	\$329	\$390	\$500	\$609	\$737
	51-100	47	\$607	\$350	\$430	\$577	\$750	\$960
	101-150	24	\$686	\$353	\$421	\$710	\$938	\$1,023
	More than 150	27	\$714	\$524	\$650	\$700	\$785	\$972

## Private Firm, Partner-Track Attorney

### Average hourly billing rate in 2018 (Q37)

Private Firm, Partner-Track Attorney

		Number of Individuals	Mean (Average)	10th Percentile 10%	First Quartile 25%	Median (Midpoint)	Third Quartile 75%	90th Percentile 90%
All Individuals		99	\$387	\$250	\$285	\$350	\$438	\$600
Years of IP Law Attorney Experience	Fewer than 5	20	\$309	\$222	\$250	\$283	\$325	\$575
	5-6	21	\$406	\$252	\$284	\$360	\$458	\$719
	7-9	22	\$364	\$260	\$298	\$338	\$435	\$509
	10-14	16	\$444	\$280	\$320	\$426	\$499	\$755
	15-24	18	\$405	\$280	\$308	\$388	\$456	\$621
Location	Boston CMSA	4	\$671	ISD	\$533	\$675	\$806	ISD
	Philadelphia CMSA	3	\$381	ISD	ISD	\$414	ISD	ISD
	Washington, DC CMSA	16	\$436	\$285	\$315	\$400	\$516	\$669
	Other East	5	\$312	ISD	\$288	\$300	\$343	ISD
	Metro Southeast	6	\$422	ISD	\$324	\$438	\$503	ISD
	Other Southeast	4	\$335	ISD	\$233	\$336	\$438	ISD
	Chicago CMSA	5	\$378	ISD	\$350	\$360	\$415	ISD
	Minne.-St. Paul PMSA	9	\$297	ISD	\$276	\$295	\$313	ISD
	Other Central	24	\$314	\$245	\$251	\$284	\$345	\$428
	Texas	4	\$448	ISD	\$310	\$345	\$688	ISD
IP Technical Specialization (≥50%)	Other West	14	\$413	\$243	\$269	\$427	\$500	\$664
	Biotechnology	4	\$487	ISD	\$381	\$418	\$661	ISD
	Chemical	6	\$318	ISD	\$254	\$318	\$379	ISD
	Computer Software	20	\$431	\$252	\$297	\$355	\$564	\$745
	Electrical	10	\$394	\$253	\$295	\$415	\$493	\$500
	Mechanical	26	\$340	\$247	\$280	\$310	\$374	\$507
Age	Pharmaceutical	3	\$572	ISD	ISD	\$525	ISD	ISD
	Younger than 35	29	\$341	\$250	\$265	\$300	\$350	\$591
	35-39	29	\$389	\$250	\$280	\$310	\$468	\$735
	40-44	12	\$419	\$226	\$346	\$418	\$488	\$675
	45-49	13	\$381	\$277	\$298	\$375	\$433	\$563
	50-54	9	\$431	ISD	\$360	\$414	\$459	ISD
Gender	55-59	5	\$416	ISD	\$300	\$435	\$523	ISD
	Male	82	\$402	\$252	\$290	\$360	\$468	\$608
Highest Non-Law Degree	Female	16	\$319	\$247	\$259	\$296	\$325	\$486
	Bachelor's Degree	65	\$395	\$266	\$298	\$350	\$458	\$595
	Master's Degree	26	\$368	\$247	\$275	\$305	\$449	\$617
Ethnicity	Doctorate Degree	8	\$387	ISD	\$246	\$368	\$437	ISD
	White/Caucasian	85	\$386	\$250	\$288	\$350	\$438	\$595
Full-time Intellectual Property lawyers and agents in the firm or corporation	3-5	4	\$298	ISD	\$273	\$285	\$335	ISD
	6-10	7	\$347	ISD	\$285	\$350	\$400	ISD
	11-25	21	\$350	\$259	\$285	\$324	\$395	\$491
	26-50	25	\$376	\$248	\$290	\$345	\$470	\$508
	51-100	21	\$376	\$224	\$273	\$350	\$444	\$573
	101-150	11	\$392	\$280	\$300	\$325	\$505	\$707
More than 150		9	\$611	ISD	\$467	\$600	\$768	ISD

### Total Costs: Litigation-Trade Secret Misappropriation by Type of Practice

#### Litigation-Trade Secret Misappropriation <\$1M Initial case management (000s) by Type of Practice (Q52Aa)

	Total	1-3 Attorneys	4-15 Attorneys	16-59 Attorneys	60 or more Attorneys	All Corporate
Number of Respondents	29	5	1	6	14	1
Mean (Average)	\$30	\$15	ISD	\$17	\$43	ISD
10th Percentile 10%	\$10	ISD	ISD	ISD	\$25	ISD
First Quartile 25%	\$18	\$10	ISD	\$9	\$25	ISD
Median (Midpoint)	\$25	\$12	ISD	\$18	\$25	ISD
Third Quartile 75%	\$25	\$23	ISD	\$25	\$25	ISD
90th Percentile 90%	\$25	ISD	ISD	ISD	\$150	ISD

#### Litigation-Trade Secret Misappropriation <\$1M Inclusive of discovery, motions, and claim construction (000s) by Type of Practice (Q52Ab)

	Total	1-3 Attorneys	4-15 Attorneys	16-59 Attorneys	60 or more Attorneys	All Corporate
Number of Respondents	28	5	1	5	14	1
Mean (Average)	\$256	\$356	ISD	\$375	\$218	ISD
10th Percentile 10%	\$50	ISD	ISD	ISD	\$150	ISD
First Quartile 25%	\$150	\$35	ISD	\$213	\$150	ISD
Median (Midpoint)	\$150	\$60	ISD	\$300	\$150	ISD
Third Quartile 75%	\$269	\$825	ISD	\$575	\$150	ISD
90th Percentile 90%	\$660	ISD	ISD	ISD	\$625	ISD

#### Litigation-Trade Secret Misappropriation <\$1M Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (000s) by Type of Practice (Q52Ac)

	Total	1-3 Attorneys	4-15 Attorneys	16-59 Attorneys	60 or more Attorneys	All Corporate
Number of Respondents	29	5	1	4	15	2
Mean (Average)	\$648	\$668	ISD	\$681	\$723	ISD
10th Percentile 10%	\$90	ISD	ISD	ISD	\$550	ISD
First Quartile 25%	\$500	\$70	ISD	\$506	\$550	ISD
Median (Midpoint)	\$550	\$300	ISD	\$563	\$550	ISD
Third Quartile 75%	\$550	\$1,450	ISD	\$975	\$550	ISD
90th Percentile 90%	\$1,500	ISD	ISD	ISD	\$1,600	ISD